

## NOTES OF LEGAL EVENTS.

The appointment of Judge Alfred Spring of Franklinville as the successor of the late Hamilton Ward on the Appellate Division of the Supreme Court for the Fourth Department has been favorably received by the bar in the western part of the State. Judge Spring is a native of Cattaraugus county, where his father was County Judge and where he himself has held the office of Surrogate. When Justice Halght went from the Eighth Judicial District to the Court of Appeals, Mr. Spring succeeded him on the bench of the Supreme Court by appointment from the Governor, and in the fall of 1895 he was elected a Supreme Court Justice in that district, to succeed himself, for the full term of fourteen years. He is about 45 years of age and received his professional education at the law school of the University of Michigan.

The Court of Appeals on Tuesday handed down decisions in fifty-three cases. These comprised thirty-nine affirmances, three reversals and one modification. Of the affirmances the most important were in the case of Mrs. Place, convicted of murder in the first degree in the County Court of Kings county, and the controversy between the school boards of Manhattan and Brooklyn in relation to the disposition of the school money to be distributed between the boroughs under the provisions of the Greater New York charter. The most noteworthy reversal was that in the celebrated case of Laidlaw against Sage, in which the plaintiff sought to hold the well-known financier liable for the injuries sustained by the plaintiff by reason of the explosion of the bomb which Norcross brought into Mr. Sage's office in December, 1891.

The affirmation of the conviction of Mrs. Place will doubtless give rise to an earnest discussion as to the propriety of inflicting the death penalty in the case of a woman. Indeed, remonstrances against the execution of Mrs. Place have already appeared in the newspapers. The only woman upon whom capital punishment has been inflicted in recent times in the State of New York was Roxiana Druse, who murdered her husband in Herkimer county, in December, 1884. The murder was one of peculiar atrocity. Mrs. Druse not only compelled her husband, a lad but 14 years old, to fire a pistol shot at her husband, but then fired at him herself, knocked him on the head with an axe, and cut his head off. As we recollect the case, the view expressed by Gov. Hill was that the application for executive clemency in behalf of a woman should be dealt with precisely on the same principles as would control the determination of such an application on behalf of a man, and as long as the law made murder in the first degree punishable by death the sex of the convict should not relieve her from the penalty in a case of deliberate and premeditated murder. It may be, however, that there are circumstances in Mrs. Place's case which would call for a commutation even if the crime had been committed by a man.

The principal question in the school case between the borough of Manhattan and the borough of Brooklyn related to the time when the charter scheme for the division of the school fund between the two boroughs should take effect. In one section the charter expressly provides that it shall be the duty of the Board of Education to make appropriations and adopt by-laws so "that the new system for the administration of the public schools of this city as provided by this act shall go into full effect on July 1, 1898." This, standing by itself, seemed plain enough; but the Manhattan school board thought that it was qualified by other portions of the charter so as to prevent any distribution of the school money according to the new plan until the beginning of the present year. This view, however, has been rejected by every court to which it has been presented. The scheme of distribution prescribed by the charter undoubtedly operates somewhat unequally and to the advantage of Brooklyn; but this inequality can readily be remedied by intelligent legislation.

If the decision of the Court of Appeals in the Sage bomb-throwing case is correctly epitomized in the newspaper reports sent from Albany, Mr. Laidlaw's defeat is practically final. According to the summary of the opinion, the court falls to find any ground for justifying the inference that the change in Mr. Laidlaw's position which he attributed to the action of Mr. Sage had anything to do with Mr. Laidlaw's injuries. In other words, it is not perceived that Mr. Laidlaw would not have been hurt just as much as he was if Mr. Sage had not caused him to move immediately before the bomb was exploded. The Court of Appeals would seem to be of the opinion that it was incumbent upon Mr. Laidlaw to prove affirmatively that his change of position, due to Mr. Sage's interference, caused him to be injured more than he would have been otherwise. The view which prevailed in the courts here was different. Thus, on the first appeal, reading Justice Van Brunt used this language: "If the defendant put his hand upon or touched the plaintiff and caused him to change his position with that intent, he was guilty of a wrongful act toward the plaintiff; and if the plaintiff was injured by the happening of the explosion, the defendant is liable for the injury which the plaintiff sustained by reason of the explosion." (73 Hun's Reports, 129.)

A case against the executors of the late Cornelius R. Garrison, involving large amounts and having a complicated history, was also finally disposed of by the Court of Appeals on Tuesday. It was a suit by Clark Robinson Griggs for an accounting by Garrison of various large financial transactions arising out of the building of the line of the Western and Lake Erie Railroad Company, a corporation organized under the laws of Ohio. The plaintiff had the contract for constructing the road and Garrison provided him with funds. Certain promissory notes were pledged to Garrison as security. These notes he surrendered to the maker at the rate of 75 cents on the dollar. Griggs claimed that the notes were issued without his consent, and sought to recover damages on the ground that Garrison's use of the notes constituted an unlawful conversion. There were also other issues in the suit, which was tried three times. On the last trial the referee rendered a judgment of \$988,240.50 in favor of Griggs. The executors of Garrison appealed, and the Appellate Division of the Supreme Court in this district unanimously reversed the judgment on the merits, thus holding that the plaintiff could not succeed in any view of the case. The plaintiff thereupon took an appeal to the Court of Appeals, and that tribunal has reversed the decision of the Appellate Division and directed that Griggs have judgment against Garrison's executors for the sum of \$1,133,868.88, without costs.

In a case recently tried in the United States District Court in New Jersey the plaintiff sued to recover a balance claimed to be due on the purchase price of a boiler. The purchaser insisted that he was entitled to a deduction from the price agreed upon because the makers had failed to place upon the boiler (which was intended for a steamboat) a nameplate, showing the name of the manufacturer, the place where made, and the tensile strength. On this point Judge Kirkpatrick ruled against the defendant, holding that there was no statutory requirement for a nameplate and that a value was not placed by the contract. A valued correspondent at Elizabeth, Mr. Robert P. Watson, in calling our attention to this decision, points out that the court parties and counsel all seem to have been unaware of a rule prescribed by the Board of Supervising Engineers for the construction of steam-boiler nameplates, which reads thus: "There shall be fastened to each boiler a plate containing the name of the manufacturer of the material, the place where manufactured, the tensile strength, the name of the builder of the boiler, and where built." Mr. Watson says that the boiler in question was issued until such a nameplate is affixed to it.

## B. Altman &amp; Co.

Enumerate prominent values for Monday, January 16th, in their Departments of Furs, Ladies' Boots, Fancy Silks and Cotton Dress Fabrics, as follows:

## LADIES' BOOTS.

1,500 Pairs of Ladies' Kid Button and Laced Boots of excellent quality in modern shapes, the regular prices of which are \$3.50 and \$4.00 per pair, at \$2.68

## FURS.

Mink Scarfs, with Tails,	\$7.75
Stone Marten Scarfs, with Tails,	13.50
Alaska Sable Collarettes,	12.75
Brown Fox Sets (Muff and Animal Scarf),	16.50
Blue Fox Cluster Scarfs,	10.50
Persian Lamb Muffs,	\$5.75 and 9.25
Mink Muffs,	7.86
Alaska Sable Muffs (Large Size),	6.75
Fur Lined Capes (Alaska Sable Collar and Edge),	19.50
Persian Lamb Jackets,	115.00
Alaska Seal Jackets,	145.00

OTHER FUR GARMENTS AND FUR ARTICLES  
ALSO AT GREATLY REDUCED PRICES.

## A SPECIAL PURCHASE OF

## 6,000 YARDS OF FANCY SILK

in Street and Evening colors, suitable for entire Costumes and separate Waists and Skirts, will be offered to-morrow, at 68¢ Per Yard.

## SPRING IMPORTATIONS OF.

## COTTON DRESS FABRICS,

including select styles in Javanese, Challies, Toile de Jouy, Nanzouk, Madras, Oxfords, Mousseline de l'Inde, Dimities, Gauzes and French and English Piques.

Special to-morrow (Monday) SCOTCH ZEPHYRS, in Stripes, Plaids and Fancy Effects, regular value 25c. 19¢ Per Yard. and 32c. at

Eighteenth Street, Nineteenth Street and Sixth Avenue.

## KNAPP AND HIS BARREL BOAT.

In the Face of Failure He Still Declares the Principle a Practical One.

F. A. Knapp, the inventor of the Knapp roller boat, having met with disappointment in the speed of the vessel he built at Toronto, still believes that his invention is destined to rule the seas, and he puts forth some novel theories in support of his belief. The plan of his boat is that of a barrel with a smaller barrel suspended on a central axis inside. The engines are placed in the suspended barrel, and are intended to make the outer shell revolve, while the inner one remains in one position. The boat built at Toronto is 110 feet long and 22 feet in diameter and was expected to make from twenty-five to thirty miles an hour. She made six miles an hour. The power was applied by putting the engines on circular tracks inside the outer shell and making the weighted inner cylinder tend to climb up the side of the outer one, like a squirrel in a wheel cage. This was a mistake of his engineers, Mr. Knapp declares.

"I have always been of the opinion," he says, "that speed could be obtained by the application of my boat. After two trials my engineers now admit that I am right, and that by suspending the power and applying it to a central shaft five times better results can be obtained."

His theory is that with his vessel rolling broadside to the water she would soon meet with such a resistance that she would climb to the surface and roll over it as over a pavement, and would meet with so little resistance that the speed would be almost unlimited, no matter how little power she had. Engineers, he says, tell him that such a vessel, exposing its side to the water, could never be propelled against the wind, but he sees the matter differently.

"With my vessel," he declares, "the resistance of skin friction and the blow of a wave, which is much below the center, knocking her side out from under her, so to speak, are aids to speed. I turn the enemy into a friend and am working with nature instead of against her. The rigid and no more stop my vessel, weighing 17,000 tons or more, than it can a railroad train."

Knapp is again aided by the engineers that the weight has nothing to do with it, and that there is no power in momentum. I have given up arguing with them as hopeless. It does seem strange to me that men who are trained in science should so fail to comprehend one of the greatest of nature's forces, the inertia of motion.

## Business Notices.

Rheumatism and Gout cured in every case since 1861. FARMER'S PRESCRIPTION 100 Dose. Always safe and reliable. 75c. per bottle. MULLER'S PHARMACY, 74 University Place, New York.

Carl H. Schultze's Waters represent years of study and experience. THE ONLY PURE, CORRECT MINERAL WATERS in this city.

MARRIED.  
FEARONS-PHILLIPS.—On Jan. 14, 1899, at Augusta, Ga., Marion Foster Phillips to George Madell Fearons.

DIED.  
DOWNS.—On Friday, Jan. 13, 1899, David Downs, Jr., in the 42d year of his age.

DUNDON.—At Fordham, Jan. 12, 1899, Prof. Arthur E. Dundon of the Normal College. Relatives and friends are invited to attend the funeral at the Church of Our Lady of Mercy, Webster av., Fordham, Monday, Jan. 16, at 11 A. M. Train leaves Grand Central Station at 10:30. Interment private. Please omit flowers.

GLOVER.—At New York, Pa., on Jan. 11, 1899, Dr. E. A. Glover, son of the late Thomas and Harriet A. Glover of New York, in the 36th year of his age. Interment at Duane Street Cemetery, Pa.

HILLIER.—At Metuchen, N. J., Jan. 14, Emma P. Hillier, widow of Richard Hillier, in her 84th year. Funeral services will be held at the residence of her daughter, Mrs. George W. Green, on Tuesday, Jan. 17, at 2 o'clock. Interment at convenience of family. Train leaves Pennsylvania depot, New York, 1 o'clock. Three minutes' walk from station. Return train 4:54 P. M.

McKAY.—Saturday, Jan. 14, 1899, at Saratoga Springs, N. Y., Richard McKay, aged 48 years. Services Monday, Jan. 16, 1899, at 8 P. M., 129 Bunker av., Brooklyn, N. Y. Interment at Rivergreen Cemetery, Tuesday. Members of Aster Lodge are respectfully invited to attend.

SMITH.—On Thursday, Jan. 12, Ann Smith, widow of James Smith, a native of county Meath, Ireland. Funeral from her late residence, 465 West 26th st., on Monday, Jan. 16, at 10 o'clock. Interment at Church, 52d st. and 9th av., where a solemn requiem mass will be offered at 9:30 A. M. for the repose of her soul. Interment in Calvary Cemetery. Relatives and friends are invited. Kindly omit flowers.

STERKMEYER.—On Jan. 14, Mr. Charles Frederick Sterkmeier. Funeral will take place at 717 West Newark av., Jersey City Heights, on Monday at 2 o'clock.

WADSWORTH.—Suddenly, of uremia, J. Henry Wadsworth, son of the late John and Corinne A. Wadsworth. Funeral will take place at Washington, D. C.

THREE RENOVO CEMETERY.—Private station, Harlem Railroad, 45 minutes ride from the Grand Central Depot. Office, 16 East 43d st.

Religious Notices.  
(CHURCH OF PRACTICAL METAPHYSICS, 601 E. Carnegie Hall, 1st floor, at 7:45 P. M. Rev. Dr. F. B. Hawley speaks on "Man's Equilibrium," followed by free mental magnetic testing and character readings from handwriting. Admission free.

SOCIETY FOR ETHICAL CULTURE.—Sunday, Jan. 15, 1899, at 11:30 A. M., at Carnegie Music Hall, corner 57th st. and 7th av. Lecture by Dr. Felix Adler, subject, "Light Relations Between Adults and Children." All interested are invited.

Special Notices.  
FILES.—No cutting, no post time. Book free. Pay when ordered. D. C. HAYES, 107 East 23d st.

## B. Altman &amp; Co.

## ORIENTAL CARPETS AND RUGS

B. Altman & Co. Having given unusual care to the selection of ANTIQUE AND MODERN ORIENTAL CARPETS during the past season, announce an Exhibition and Sale on Monday, Tuesday and Wednesday, January 16th, 17th and 18th, as follows:

40 RARE SILK PERSIAN CARPETS AND RUGS,  
80 ANTIQUE SARAK AND SERAPE CARPETS,  
AT EXTRAORDINARILY LOW PRICES.

—ALSO—

60 MODERN TURKISH AND PERSIAN CARPETS,

In sizes from 8x11 feet to 12x16 feet.

15 Formerly \$70.00 to \$100.00 reduced to	\$55.00
15 " 85.00 " 125.00 "	69.00
30 " 120.00 " 175.00 "	87.00
	98.00

IN ADDITION TO THE ABOVE WILL OFFER

100 Kazakdjia Rugs, in sizes about 3x4 feet 6 inches, reduced from \$9.75 to \$6.50  
200 Mossoul and Persian Rugs, about 4x8 feet, reduced from \$14.50 and \$24.00 to \$14.50 & \$17.50

(THIRD FLOOR.)

LACE CURTAINS,  
MANTEL DRAPERIES, ETC.

MONDAY and TUESDAY, JANUARY 16th & 17th,

175 Pairs Renaissance and Marie Antoinette Lace Curtains, the original prices of which were \$13.75 and \$14.50 per pair, reduced as follows:

Renaissance Lace Curtains,	\$9.75
Marie Antoinette Lace Curtains,	8.50

Japanese Silk Mantel Lambrequins and Table Covers, gold embroidered, in assorted colors and designs.

Lambrequins,	\$1.35, \$1.90, \$2.90, \$3.85
Table Covers (1 yard square)	85c.
Embossed Plush Squares, suitable for Sofa Cushions and Candle Stands,	90c.
Squares of Velour and Metallic ground (24 inches),	48c.

DOWN PILLOWS, covered in Oriental Prints and Cretonnes, value \$2.25 and \$2.50 each, at \$1.25

80 BRASS BEDSTEADS, \$18.50 & \$28.00

Pure Hair Mattresses, Feather Pillows and Bolsters made to order in their workrooms at reasonable prices.

Eighteenth Street, Nineteenth Street and Sixth Avenue.

Arnold, Constable & Co.  
Ladies' Underwear.

Lace Trimmed and Embroidered Underwear.  
Imported French Underwear.

Ladies' Wrappers.  
Spring Importations in Silk, Satin and Flannel.

Shirt Waists.

Ladies' Gingham Waists of the Celebrated Fabric of David & John Anderson.

Broadway & 19th Street.

## ART NOTES.

Water Colors by F. Hopkinson Smith.

The annual exhibition of watercolor pictures by F. Hopkinson Smith is in progress at Avery's galleries, and will continue to Jan. 21. In addition to the artist's familiar subjects from Venice and Holland, he this year shows some interesting and picturesque bits on the Thames. The average of the work is as good as usual, and the same snappy, direct sort of style marks the present collection as those of previous years. The subjects are well chosen, and the rendering, if not profound, is at least clever, and gives and gives an impression of truthful observation. A novelty is found in "After the Storm," No. 24, wherein a group of boats huddled together on the sea is relieved with good effect against the black clouds piled up on the horizon. Other sheets which may be specially mentioned for their attractiveness are "Under the Trees, Dordrecht," No. 21; "On the Lagoon," No. 14; "Waiting for the Lock," Thames," No. 2; "Where the Gondolas Land," No. 21; "Along the Riva," No. 32; "Above the Lock, Thames," No. 14, and "The Canal of San Paulo," No. 35.

Most Successful Transactions have been brought about through Tax Brokers' Real Estate columns. Both the dealer and the reader may be depended on, a factor not to be lost sight of.

Horner's  
Furniture.

IMPORTANT PRICE REDUCTIONS.

Having finished our annual inventory, we have reduced the prices on many pieces in all lines to effect a clearance of same. The reductions apply to SIDEBOARDS, BEDROOM SETS, PARLOR SETS, DRESSING TABLES, CABINETS, BOOKCASES, &c., and are well worthy the attention of all who wish to secure fine Furniture away below regular prices.

R. J. HORNER & CO.,  
Furniture Makers and Importers,  
61, 63, 65 West 23d Street.  
(Adjoining Eden Musee.)

## Stern Brothers

will hold To-morrow, Monday, their  
Annual January Sale of  
Ladies' Nainsook, Cambric, Muslin and Silk

## Underwear

of the best quality materials and their own manufacture, at

Exceptionally Low Prices

## Stern Brothers

will place on sale to-morrow in their

## Lace Departments

a large purchase of  
Cream Lierre, Point d'Alencon  
and Silk Applique Laces,  
4 to 14 inches wide, at 10c, 15c, 19c, 25c & 35c yd.  
Platte Valenciennes Laces  
and insertions to match,  
1 1/4 to 6 inches wide, at 9c, 10c, 15c, 18c & 25c yd.

All One-half Actual Values  
Black, Cream and Colored Chenille Dotted  
Silk Brussels Net, 44 inches wide, at 48c yd.  
Former price 88c yd.

And the remainder of their  
Chenille Emb'd and Spangled Drapery Nets  
in Black and Blue, Black and Steel,  
White with Gold and Silver,  
and other desirable combinations at \$3.98 & \$5.50 yd.  
Former prices \$6.98, \$9.75 & \$12.50

## Stern Brothers

To-morrow, Sale of  
Men's and Women's Fine

## Silk Umbrellas

At Unusually Low Prices

1000 26 and 28 inch close-rolled Umbrellas,  
handles of smoked ivory, pearl and buckhorn,  
handsomely trimmed and deposited with sterling silver,

\$2.95 and \$3.75

Values \$3.75 to \$7.00

West Twenty-Third Street

## Stern Bros

will continue to-morrow  
to offer the remainder of their

Fur & Fur-lined  
Garments

at the following greatly

Reduced Prices

Persian Lamb

Coats

at \$98.50 & \$118.00

with Collar & Revers

of Blended Marten,

\$129.50

Cloth Capes

Fur-lined

and Fur-trimmed,

at \$17.75

Also a purchase of

Alaska Sable,

Scarfs

at \$7.50

at \$9.85

Hudson Bay Sable

or Blended Marten

Scarfs

at \$19.75

Stern Bros

will offer to-morrow

14000 Yards

French Printed

Challies

in desirable designs

and colorings,

at 21c

Value 45c yd.

1500 Yards

Black All-silk

Figured

Grenadines

at 55c

Regular value \$1.00 yd.

Also the remainder of their

High-class Novelty

Dress Goods

at 69c, 95c, \$1.45

Formerly \$1.25 to \$3.45 yd.

West 23d St.

Alaska Sealskin Coats, newest styles,

\$200, \$250, \$300, decidedly best value

in this city. C. C. Shyne, 124 W. 42d St.

Fallie Quill Riotous Wisconsin Students.

MADISON, Wis., Jan. 14.—The police had a hard time last night to quell a disturbance by university students at the Fuller Opera House. Nearly 500 students participated in the row, which began by students throwing paper pellets at the women players on the stage and using improper language. When the officers attempted to arrest the offenders they resisted and several lights ensued. After a noisy battle the police were victorious, and five rioters were arrested.

Another Honor for William J. Carr.

William J. Carr, who was appointed Corporation Counsel in the borough of Brooklyn recently, has been elected President of the St. Patrick's Society.

## Stern Bros

are now showing

a large assortment of

Ladies'

Separate Skirts

in the latest models,

lined throughout with silk

of Cheviot Serges

\$17.50 & \$22.50

of Cloths

\$26.50 & \$32.50

of Taffeta Silks

handsomely trimmed, at

\$28.50

And will also exhibit to-morrow

new and exclusive styles of

Ladies'

Evening Skirts

of Spangled Lace and Plain Net

Only models shown, and orders taken

from them, ranging in price from

\$49.50 to \$95.00